

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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MASSACHUSETTS MUTUAL LIFE )  
INSURANCE COMPANY, )  
Plaintiff, ) No. 11-cv-30285-MAP  
)  
v. )  
)  
MERRILL LYNCH, PIERCE, FENNER & )  
SMITH, INC.; DEUTSCHE BANK )  
SECURITIES INC.; GOLDMAN, SACHS & )  
CO., INC.; J.P. MORGAN SECURITIES LLC; )  
AND RBS SECURITIES, INC., )  
Defendants. )  
)

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**DEFENDANT'S CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Rule 16.1(D)(3) of the Rules of this Court, undersigned counsel hereby certifies that Defendant RBS Securities Inc. and counsel of record from Simpson Thacher & Bartlett LLP conferred (a) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: May 28, 2012

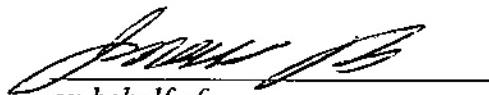
Respectfully submitted,

/s/ Azure Abuirmeileh

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*on behalf of*  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 28, 2012.

/s/ Azure Abuirmeileh  
Azure Abuirmeileh